

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,	}	
<i>Plaintiff-Respondent</i>	}	
	}	
v.	}	CRIMINAL ACTION NO. H-01-98-1
	}	CIVIL ACTION NO. H-04-365
THOMAS METTEAUSER SAUEDA,	}	
<i>Defendant-Petitioner</i>	}	


MEMORANDUM AND ORDER

Presently before the Court are Petitioner Thomas Metteauer Saucedá's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Doc. 80), his Memorandum in Support (Doc. 84) and Supplemental Memorandum in Support of § 2255 Motion (Doc. 92), the United States's Second Amended Answer and Second Amended Motion for Summary Judgment (Doc. 95, Doc. 96), Petitioner's Response to the Government's Motion for Summary Judgment (Doc. 90), the Magistrate Judge's Memorandum and Recommendation (Doc. 97), and Petitioner's Objections to the Report and Recommendations. (Doc. 102). After a careful review of the entire record, the Court **ORDERS** that the Government's Second Amended Motion to Expand the Record to Include the Affidavit of Counsel (Doc. 96) be **GRANTED**, the Government's Second Amended Motion for Summary Judgment (Doc. 96) be **GRANTED**, Petitioner's Motion to Vacate, Set Aside, or Correct

Sentence pursuant to 28 U.S.C. § 2255 (Doc. 80) be **DENIED**, Petitioner's Request for an Evidentiary Hearing (Doc. 80) be **DENIED**, and this action is **DISMISSED WITH PREJUDICE**.

The Court adopts the Magistrate Judge's Memorandum and Recommendation in full.

SIGNED at Houston, Texas, this 27th day of July, 2006.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE

